

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEANNA MICHELLE MOREY, an
individual; CHULA VISTA POLICE
OFFICER'S ASSOCIATION, a
California corporation,

Plaintiffs,

v.

CITY OF CHULA VISTA, a municipal
corporation, et. al.,

Defendants.

Civil No. 07cv462 JAH (BLM)

**ORDER DENYING DEFENDANTS'
MOTION TO STRIKE AND
MOTION TO DISMISS AS MOOT
[Doc. Nos. 22, 23]**

On April 30, 2007, Defendants filed a motion to strike the first, third and sixth claim of Plaintiff's complaint and a motion to dismiss Plaintiffs' first, third, fourth, fifth, sixth, seventh and eighth claims of the complaint pursuant to Federal Rule of Civil Procedure 12(b). The motions were set for hearing before this Court on June 28, 2007. Plaintiff filed an opposition to the motion and a first amended complaint on June 14, 2007. Because the first amended complaint is now the operative complaint in this matter, **IT IS HEREBY ORDERED** Defendants' motion to strike and motion to dismiss portions of the original complaint are **DENIED as moot**. The hearing date of June 28, 2007 is **VACATED**.

DATED: June 15, 2007



HON. JOHN A. HOUSTON
United States District Judge